

EN

***Case No COMP/M.7039 - PGGM/ GDF SUEZ/ EBN/ NOGAT***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 17/10/2013

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## EUROPEAN COMMISSION

Brussels, 17/10/2013  
C(2013) 6998 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

### **To the notifying parties:**

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.7039 - PGGM/ GDF SUEZ/ EBN/ NOGAT  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 17 September 2013 the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which PGGM Vermogensbeheer ("PGGM", The Netherlands), GDF SUEZ ("GDF SUEZ", France) and Energie Beheer Nederland ("EBN", The Netherlands) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Northern Offshore Gas Transport ("NOGAT", The Netherlands) by way of purchase of shares.<sup>2</sup>
2. The business activities of the undertakings concerned are:
  - for PGGM : provision of services in the field of pension fund management, comprehensive asset management, management support and policy advice to various pension funds in The Netherlands;
  - for GDF SUEZ : active throughout the entire energy value chain of natural gas and electricity both inside and outside the European Union;
  - for EBN : active in the exploration, production, storage and trading of natural gas and oil in The Netherlands;

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> Publication in the Official Journal of the European Union No C 277, 26/09/2013, p.15

- for NOGAT : active in the operation of the Northern Offshore Upstream Gas Pipeline System (including the related pipeline terminal and gas treatment plant), which transports and treats natural gas and condensates produced from offshore gas fields in the North Sea.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.
  4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission*  
*(Signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.